

**ORDINANCE NO. 5301**  
**(RECONSIDERED AND AMENDED MAY 13, 2014)**

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, AMENDING SECTION 9-601 OF THE FREMONT MUNICIPAL CODE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE RULES AND REGULATIONS REGULATING AND GOVERNING THE INSTALLATION, MAINTENANCE, EXTENSION, ALTERATION AND REMOVAL OF ALL PIPING, PLUMBING FIXTURES, PLUMBING APPLIANCES AND APPURTENANCES WITHIN OR ADJACENT TO ANY BUILDING, STRUCTURE OR CONVEYANCE WITHIN AND INCLUDING THE AREA OF JURISDICTION OF THE CITY OF FREMONT, NEBRASKA; PROVIDING A PENALTY FOR VIOLATION THEREOF AND REPEALING ORDINANCE NO. 5232, AND ALL OTHER ORDINANCES IN CONFLICT THEREOF; AND PRESCRIBING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

**SECTION I.** That the Uniform Plumbing Code, being particularly the 2012 Edition thereof and the whole thereof, be amended as follows:

**CHAPTER 1. ADMINISTRATION**

**SECTION 101.4.1** Add after the words "plumbing systems", "...and bath exhaust fans and dryer vents in dwelling units."

**SECTION 102.3.2** Add after the word "fine", "of up to One Thousand Dollars (\$1,000.00) and/or by imprisonment of not more than three (3) months, in the discretion of the court".

**SECTION 103.4 Fees** Table 1-1 shall be amended to read as follows:

**SCHEDULE OF FEES:**

For issuing each permit	\$ 12.00
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**IN ADDITION -**

For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	\$ 9.00
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For each private sewage disposal system (septic tank/holding tank)	\$46.00
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For each gas piping system of 1 to 4 outlets	\$ 9.00
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For each gas piping system of 5 or more, per outlet	\$ 3.00
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For each industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps	\$ 9.00
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For installation, alteration or repair of water piping, and/or water treating equipment	\$ 9.00
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For repair or alteration of drainage or vent piping	\$ 9.00
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For each lawn sprinkler system on any one meter, including backflow protection devices therefore \$ 9.00

For each water heater and/or vent \$ 9.00

For vacuum breakers or backflow protective devices on tanks, vats, etc. or for installation on unprotected plumbing fixtures, including necessary water piping 1 to 4 \$ 9.00

For 5 or more, each \$ 3.00

For each ventilation fan connected to a single duct \$ 8.00

#### OTHER INSPECTIONS AND FEES

- |  |            |
|--|------------|
| 1. Inspections outside of normal business hours (min charge - 1 1/2 hrs)                                       | \$35.00/hr |
| 2. Reinspection fee  | \$25.00/ea |
| 3. Inspections for which no fee is specifically indicated (min charge 1/2 hr)                                  | \$15.00/hr |
| 4. Additional plan review required by changes, additions, or revisions to approved plans (min charge - 1/2 hr) | \$15.00/hr |

#### INVESTIGATION FEE: WORK WITHOUT A PERMIT

1. INVESTIGATION. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. FEE. If the work was commenced when City offices are closed and the permit application is made by 10:00 a.m., the first working day City offices are open, the investigation fee shall be zero dollars. The investigation fee in all other cases shall be equal to the permit fee unless work has progressed beyond the point for which there is a required inspection. In this case, the investigation fee shall be a minimum of \$100.00 or the permit fee, whichever is greater. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

#### CHAPTER 5

**SECTION 504.1** – Delete item (1)

**SECTION 504.7** – Add: Temperature and Relief Valve downtubes shall be copper or metal piping with an inside diameter of the piping no less than the T&P valve. No threads after the initial connection to the T and P valve

**SECTION 507.5** - Delete entire section.

#### CHAPTER 6

**SECTION 603.1** – Add Exception: Backflow devices for residential lawn sprinkler need only be tested when installed and least once every five years.

**SECTION 604.1** - Amend to read as follows: "Water pipe and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel or other approved materials. CPVC, PB, PE, or PVC water pipe manufactured to recognized standards may be used for cold water distribution systems outside a building, if the systems do not connect to any other buildings and if the outside system is isolated from the supply piping by a metal vacuum breaker, properly installed. All materials used in the water supply system, except valves and similar devices, shall be of like material, except where otherwise approved by the Administrative Authority."

**SECTION 604.2** - Exception: strike the words "or underground outside of structures".

**SECTION 604.9** – Delete entirely

**Section 605.10 PEX.** Add to end of last sentence. Crosslinked polyethylene (PEX) tubing shall be allowed in new construction or in existing construction where the complete water supply system is replaced. All materials used in the water supply system, except valves and similar devices, shall be of like material, except where otherwise approved by the Authority Having Jurisdiction. Fixture stubouts exiting through a wall or floor shall be done with a copper stubout with nailing flange, metal bond supports with faceplate or other method approved by Authority Having Jurisdiction.

**SECTION 608.4** - Insert "USASE-Z21.22" after the word "drain line".

**SECTION 608.5** - Strike the words "the outside of the building and with the end of the pipe not more than two (2) feet nor less than six (6) inches above the ground or floor and pointing downward. Such drain may terminate at other approved locations". Insert the words, "to six (6) inches above the floor near an approved drain".

**SECTION 609.2 (1)** - Delete entire section.

**SECTION 609.2 (2)** - Delete entire section.

**SECTION 611.4** – Delete entirely

**SECTION 6 Table 604.1** – Material delete CPVC, PE, PVC

## **CHAPTER 7**

**SECTION 701.1 (2)** – Add at end of section: ABS and PVC DWV piping installation shall be limited to those structures where combustible construction is allowed and the structure is no more than three stories in height above grade. However, ABS and PVC DWV may be installed below the lowest floor of a structure where non-combustible construction is required. For the purpose of this sub-section, the first floor of a building shall be that floor that has fifty percent (50%) or more of the exterior wall surface area level with or above finish grade. One additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

**SECTION 715.4** - Department of Utilities will approve only the following sewer pipe for outside buildings:

- (1) Vitrified Clay Tile
- (2) Cast Iron Soil Pipe (Std.)
- (3) ABS or PVC Sch 40 DWV Pipe
- (4) SDR 26

Fiber pipe or all other plastic drainage pipe is not permitted.

## **CHAPTER 9 – VENT, PLUMBING**

**ADD:** A single continuous vent shall be installed from the building sewer entering the structure it serves to the point of termination of the vent out the roof. The vent shall be the same size as building sewer.

**SECTION 902.3** - Add "No Plumber vents allowed".

**SECTION 906.1** - Delete the word "six (6)" and insert the word "ten (10)" inches.

**CHAPTER 11** - Delete entire chapter.

## **CHAPTER 12 FUEL GAS PIPING**

**SECTION 1208.2** – Provision for location of point of Delivery. Add to the end of the last sentence: "and extend 6 inches beyond the exterior surface of the structure. Gas piping shall be sleeved with plastic pipe or an approved inert material when it passes through any exterior wall or any interior concrete or masonry wall. The interior space between the gas piping and the sleeve shall be sealed at the wall to prevent the entry of water, insects or rodents."

## **SECTION 1208.0 GAS PIPING SYSTEM DESIGN, MATERIALS AND COMPONENTS**

**SECTION 1208.5.2.3** – Delete entirely

**SECTION 1208.5.2.4** – Delete entirely

**SECTION 1208.5.3** – Delete entirely

**SECTION 1208.5.3.1** – Delete entirely

**SECTION 1208.5.3.2** – Delete entirely

**SECTION 1208.5.3.3** – Delete entirely

**SECTION 1208.5.4** – Plastic pipe, tubing and fittings amend to read as follows: Only Drisco High Density PE plastic pipe, tubing and fittings shall be used outside underground only and shall conform to ASTM D2513, standard specification for thermoplastic gas pressure pipe, tubing and fittings. Pipe to be used shall be marked "gas" and "ASTM D2513". Anodeless risers shall comply with the following

**SECTION 1208.5.8.2** – Tubing Joints – Delete entirely

**SECTION 1208.5.8.3** – Flared Joints – Delete entirely

**SECTION 1210.1.7** – Plastic Pipe (A) Delete exception (2)

**SECTION 1211.3** – Entire section should read – No threads shall be concealed.

**SECTION 1211.3.2** – Connections amend to read as follows: Where gas piping is to be concealed, unions, tubing fittings, right and left couplings, bushings, swing joints and compression couplings made by combinations of fittings shall not be used.

**SECTION 1210.13 thru 1210.14** – Delete entirely

**SECTION 1213.3.2** – Amend to read as follows: The test pressure to be shall be no less than 30 pounds per square inch gauge pressure for threaded piping, and 60 pounds per square inch gauge pressure for welding piping. Pressure tests shall be held for a minimum of 30 minutes or as directed by the authority having jurisdiction.

**CHAPTER 13** – Delete entire chapter.

**CHAPTER 16** – Delete entire chapter.

**APPENDIX K** - Amend to read as follows: Private sewage disposal systems shall be installed per the current Title 124 Rules and Regulations for the design, operation and maintenance of onsite waste water treatment systems adopted by the State of Nebraska Department of Environmental Quality.

**SECTION II. FLU VENTING AND GAS METERS.** Additional Flue venting notes: Any alteration to an existing appliance venting system into a brick, concrete, or other unlined chimney shall be lined with an approved lining system at the time of the alteration is being completed.

Gas meters and regulators shall be located three (3') from sources of ignition.

**SECTION III. INSTALLATION BY OWNER.** Any homeowner may install plumbing fixtures or water conditioning appurtenances only in a single family residence which he occupies as his own home. The owner shall own both the single-family residence and the land/property that the residence is placed upon. The inspector shall have final determination of this rule. All fixtures or appurtenances installed by an owner shall be for himself without compensation or pay from or to any other person for such labor or installation. Such installation by an owner shall comply with the requirements of this code and the owner, in exercising this privilege, shall not set himself up as a Master Plumber or Master Water Conditioner. The owner shall be required to file plans, apply for and secure a permit, pay fees and call for all inspections.

**SECTION IV. DEFINITIONS, LICENSING AND ADMINISTRATIVE.** **DEFINITIONS:** Unless context otherwise requires, the following definitions shall apply:

- a) **BOARD** shall mean the Building Code Advisory and Appeals Board of the City of Fremont, Dodge County, Nebraska.
- b) **MASTER PLUMBER** shall mean a person engaged in the business of and skilled in the planning, superintending and practical installation of plumbing and drainage, and who is familiar with the ordinances and regulations governing the same as regulated by this code, and is licensed as such by the City of Fremont.
- c) **JOURNEYMAN PLUMBER** shall mean a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair or remove plumbing and drainage as regulated by this code, and is licensed as such by the City of Fremont.

d) **PLUMBER'S APPRENTICE** shall mean a person engaged in learning and assisting in the installation, repairing, alteration or removing of plumbing and drainage as regulated by this code, and is licensed as such by the City of Fremont.

E) **WATER CONDITIONING APPLIANCE** shall mean apparatus equipment connected to a water supply other than by hose connections to existing fixtures and designed to soften or filter or change the mineral content of water.

f) **MASTER WATER CONDITIONER** shall mean a person skilled in the planning, superintending and engaged in work incidental to install, repair, replace, relocate, or remove water conditioning appliances, including piping to hot and cold water lines and drains for such purposes, and who is familiar with the ordinances and regulations governing the same as regulated by this code, and is licensed as such by the City of Fremont.

g) **WATER CONDITIONER INSTALLER** shall mean a person having the necessary qualifications, training, experience, and technical knowledge to install, repair, replace, relocate, or remove water conditioning appliances, including piping to hot and cold water lines and drains for such purposes as regulated by this code, and is licensed as such by the City of Fremont.

h) **ONSITE WASTEWATER TREATMENT CONTRACTOR/INSTALLER** shall mean a person engaged in the installing, repairing, replacing of any onsite wastewater treatment system

i) **LICENSE FEES**

License and Examination Fees -

Master Plumber, Master Water Conditioner License Fee	\$75.00
Onsite Wastewater Treatment Contractor/Installer	\$75.00
Master Plumber, Master Water Conditioner Examination Fee	\$50.00
Plumber Journeyman, Water Conditioner Installer License Fee	\$15.00
Plumber Journeyman, Water Conditioner Installer Examination Fee	\$30.00
Apprentice License Fee	\$ 5.00

Any person dealing in plumbing materials or supplies, but not engaged in the installation, alteration, repair or removal of plumbing or drainage shall not be required to license hereunder.

Nothing in this chapter shall be construed to require an employee, working for a single employer as part of such employer's full-time staff and not holding himself out to the public for hire, to hold a license while acting within the scope of his employment. All work performed by such employees would be subject to the issuance of permits, payment of fees, and inspections, as if performed by a licensed master and shall comply with the provision of this chapter for permits and inspections.

No permit shall be required for water conditioning minor repair work. Minor repair work is defined as repairing leaks in pipes, cleaning out supply or waste lines or repairing a water conditioning appliance.

Electrically operated water conditioners shall have a U.L. approved cord not exceeding six (6) feet in length and shall be plugged into an approved permanently installed receptacle.

### **MASTER PLUMBER LICENSE**

No person shall engage in the business of installing, altering, repairing, replacing, or remodeling any plumbing system regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the

applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of plumbing, drainage and general knowledge of the Uniform Plumbing Code.

Applicant must be a licensed Plumber Journeyman with not less than five (5) years of full-time employment before taking a Master Plumber's test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of the month and applications shall be received by the Inspection Department ten (10) working days prior to said examination date. If applicant passes examination they are then eligible for a Master Plumber license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination for a period of two (2) months. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.

Before any Master Plumber's license shall be issued, he shall execute and file with the City a certificate of liability with the City named as additional insured in the sum of One Million Dollars (\$1,000,000) The certificate shall remain in place as long as the applicant maintains a license and the certificate shall state that the applicant shall indemnify and hold harmless the City, and shall indemnify any person from all damages caused by any neglect arising from a failure to protect any of his work or any unskilled or inadequate work done and that such applicant shall be governed by the rules and requirements provided by this code and which may be hereafter adopted by the City. Such policy of insurance shall provide that it cannot be cancelled until ten (10) days written notice of such cancellation has been filed with the City Clerk. Cancellation or termination of any insurance policy issued for or in compliance with the provisions hereof shall automatically terminate any license, unless another policy complying with the provisions hereof shall be provided and in full force and effect at the time such cancellation or termination becomes effective.

All Master Plumbers shall pay to the City a license fee of Seventy Five Dollars (\$75.00) and shall pay any fines imposed upon them for any violations of the 2012 Uniform Plumbing Code or ordinances applicable to them. The licensing period for Master Plumber's is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. If a license is not renewed within six (6) months after expiration of same and the holder wishes to reinstate his license, he must comply with the same procedure set forth for obtaining a plumbing license.

Permits shall be paid for when issued or billed. The amount paid shall be credited toward the cost of inspections. Failure to pay for outstanding permits and charges within thirty (30) days of billing date shall result in automatic suspension of applicable license and failure to pay permits and charges in sixty (60) days will amount to automatic revocation of the license.

#### **MASTER WATER CONDITIONER LICENSE**

No person shall engage in the business of work incidental to complete the installation, repair, replacement, relocation, or removal of water conditioning appliances, including piping to hot and cold water lines and drains for such purposes as regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of water conditioning installation and general knowledge of the Uniform Plumbing Code.

Applicant must be a licensed Water Conditioner Installer with not less than five (5) years of full-time employment before taking a Master Water Conditioner test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of the month and applications shall be received by the Inspection Department ten (10) working days prior to said examination date. If applicant passes examination they are then eligible for a Master Water Conditioning license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination for a period of two (2) months. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.

Before any Master Water Conditioner's license shall be issued, he shall execute and file with the City a certificate of liability with the City named as additional insured in the sum of One Million Dollars (\$1,000,000). The certificate shall remain in place as long as the applicant maintains a license and the certificate shall state that the applicant shall indemnify and hold harmless the City, and shall indemnify any person from all damages caused by any neglect arising from a failure to protect any of his work or any unskilled or inadequate work done and that such applicant shall be governed by the rules and requirements provided by this code and which may be hereafter adopted by the City. Such policy of insurance shall provide that it cannot be cancelled until ten (10) days written notice of such cancellation has been filed with the City Clerk. Cancellation or termination of any insurance policy issued for or in compliance with the provisions hereof shall automatically terminate any license, unless another policy complying with the provisions hereof shall be provided and in full force and effect at the time such cancellation or termination becomes effective.

All Master Water Conditioners shall pay to the City a license fee of Seventy Five Dollars (\$75.00) and shall pay any fines imposed upon them for any violations of the 2012 Uniform Plumbing Code or ordinances applicable to them. The licensing period for Master Water Conditioner's is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. If a license is not renewed within six (6) months after expiration of same and the holder wishes to reinstate his license, he must comply with the same procedure set forth for obtaining a water conditioning license.

Permits shall be paid for when issued or billed. The amount paid shall be credited toward the cost of inspections. Failure to pay for outstanding permits and charges within thirty (30) days of billing date shall result in automatic suspension of applicable license and failure to pay permits and charges in sixty (60) days will amount to automatic revocation of the license.

### **JOURNEYMAN PLUMBER LICENSE**

No person shall install, manufacture, replace, repair, or fit any plumbing system regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of plumbing, drainage and general knowledge of the Uniform Plumbing Code.

Applicant must be a licensed plumber apprentice with not less than three (3) years of full-time employment before taking a Plumber Journeyman test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of the month and applications shall be received by the Inspection Department ten (10) working days prior to said examination date. If applicant passes examination they are then eligible for a Plumber Journeyman license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination for a period of two (2) months. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.



All Plumber Journeyman shall pay to the City a license fee of Fifteen Dollars (\$15.00). The licensing period for Plumber Journeyman is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. If a license is not renewed within six (6) months after expiration of same and the holder wishes to reinstate his license, he must comply with the same procedure set forth for obtaining a plumber license.

#### **WATER CONDITIONER INSTALLER LICENSE**

No person shall install, repair, replace, relocate, or remove water conditioning appliances, including piping to hot and cold water lines and drains for such purposes as regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of water conditioning installation.

Applicant must be a licensed plumber apprentice with not less than three (3) years of full-time employment before taking a Water Conditioner Installer test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of the month and applications shall be received by the Inspection Department ten (10) working days prior to said examination date. If applicant passes examination they are then eligible for a Plumber Journeyman license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination for a period of two (2) months. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.

All Water Conditioner Installers shall pay to the City a license fee of Fifteen Dollars (\$15.00). The licensing period for Water Conditioner Installer is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. If a license is not renewed within six (6) months after expiration of same and the holder wishes to reinstate his license, he must comply with the same procedure set forth for obtaining a water conditioning license.

#### **APPRENTICE PLUMBER LICENSE**

No Plumber Apprentice shall be permitted to work at the install, manufacture, replace, repair, or fit any plumbing system, except under the personal supervision and direction and in the presence of a duly licensed Plumber Journeyman or Master Plumber.

All Plumber Apprentices, after having served three (3) years at the trade, or equivalent training, may apply for license hereunder and take the required Plumber Tradesman examination.

All Plumber Apprentices shall pay to the City a license fee of Five Dollars (\$5.00). The licensing period for Plumber Apprentice is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable.

#### **NEBRASKA PRIVATE ONSITE WASTEWATER TREATMENT CONTRACTOR/INSTALLER LICENSE**

Any person engaging in the business of installing, repairing, replacing any onsite wastewater treatment system shall have a Nebraska Private Onsite Wastewater Treatment Contractor/Installer license with the State of Nebraska.

In order to obtain a permit to perform any work on any onsite treatment system with a Nebraska Private Onsite Wastewater Treatment Contractor/Installer's License, the applicant must present evidence from the State of Nebraska that he has a current Nebraska Private Onsite Wastewater Treatment Contractor/Installer License. Said license shall become null and void if the licensee loses his Nebraska Private Onsite Wastewater Treatment Contractor/Installer License from the State of Nebraska.

Before any Nebraska Private Onsite Wastewater Treatment Contractor/Installer license shall be issued, he shall execute and file with the City a certificate of liability with the City named as additional insured in the sum of One Million Dollars (\$1,000,000) The certificate shall remain in place as long as the applicant maintains a license and the certificate shall state that the applicant shall indemnify and hold harmless the City, and shall indemnify any person from all damages caused by any neglect arising from a failure to protect any of his work or any unskilled or inadequate work done and that such applicant shall be governed by the rules and requirements provided by this code and which may be hereafter adopted by the City. Such policy of insurance shall provide that it cannot be cancelled until ten (10) days written notice of such cancellation has been filed with the City Clerk. Cancellation or termination of any insurance policy issued for or in compliance with the provisions hereof shall automatically terminate any license, unless another policy complying with the provisions hereof shall be provided and in full force and effect at the time such cancellation or termination becomes effective.

All Nebraska Private Onsite Wastewater Treatment Contractor/Installer's shall pay to the City a license fee of Sixty Five Dollars (\$75.00) and shall pay any fines imposed upon them for any violations of the 2012 Uniform Plumbing Code or ordinances applicable to them. The licensing period for Nebraska Private Onsite Wastewater Treatment Contractor/Installer's is April 1<sup>st</sup> to March 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable.

Permits shall be paid for when issued or billed. The amount paid shall be credited toward the cost of inspections. Failure to pay for outstanding permits and charges within thirty (30) days of billing date shall result in automatic suspension of applicable license and failure to pay permits and charges in sixty (60) days will amount to automatic revocation of the license.

#### **THE BUILDING CODE ADVISORY AND APPEALS BOARD - DUTIES AND POWERS**

The Building Code Advisory and Appeals Board shall have the following duties and powers subject to approval of the Mayor and City Council:

- a) To establish and maintain minimum licensing standards.
- b) To establish license examination procedures.
- c) To establish administrative procedures for hearing grievances for license revocation.
- d) To review and make recommendations concerning protested license applications.
- e) To review and make recommendations on grievances for license revocations.
- f) The City Council may adopt reasonable rules and regulations for the implementation of the powers and authority of the Building Code Advisory and Appeals Board granted by this ordinance.

#### **LICENSE DENIAL - APPEAL**

If applicant fails examination they shall be notified in writing.

1. The applicant may, within ten (10) calendar days of receipt of written notice of failure, file a written protest with the Board.

2. The Board shall set a time and place for hearing not less than ten (10) calendar days from receipt of written protest at which hearing the Board shall show cause why the applicant's license should not be approved. Notice of the hearing shall be given to the City of Fremont Inspection Department and the applicant.

3. The Board shall hear the protest and shall, in writing, recommend approval or disapproval.

4. The Board shall file their written recommendations with the City Clerk, who shall cause the application, together with the written recommendations of the Board, to be presented to the Mayor and City Council for hearing at the next regular meeting of the City Council.

5. The City Clerk shall give the applicant and the Inspection Department notice of the time and place of such hearing before the City Council.

The City Council shall take such action on the applicant as will result in a final order from which the applicant may appeal in the manner provided by law.

#### **LICENSE - REVOCATION AND APPEAL**

The Inspection Department or any person may file with the City Clerk for the revocation of any license issued pursuant to this ordinance.

Any person licensed as provided by this chapter who commences work without a proper permit shall be guilty of a violation of the code, after a second offense within two years, of this or any other provision provided in this code, his license shall be revoked.

The City Clerk shall serve notice of said grievance upon the Building Code Advisory and Appeals Board and upon the licensee by mailing a copy thereof - certified mail; return receipt requested.

The Board shall set a time and place for hearing not less than twenty-one (21) calendar days from service upon him of said grievance, at which hearing, the Board shall consider the grievance for license revocation. The Board shall consider the record made as a whole and shall make written recommendations to the City Council on the grievance for license revocation. Said written recommendations shall be filed with the City Clerk who shall cause the grievance and written recommendations to be presented for hearing before the City Council at its next regular meeting.

The City Council shall take such action on the grievance for revocation as will result in a final order from which order appeal may be taken to the District Court in the manner provided by law.

**SECTION V. VIOLATION.** Any person or persons violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined in any sum not to exceed One Thousand Dollars (\$1,000.00) or imprisonment of not more than three (3) months, or by both such fine and imprisonment for each violation. Each day that a violation of this code continues shall constitute a separate and distinct offense and shall be punishable as such. The penalty provided for in this section shall be cumulative and in addition to any other penalty provided for in this code or other ordinances.

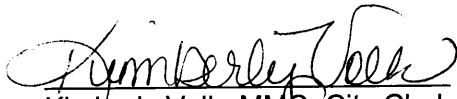
**SECTION VI. EFFECTIVE DATE.** That Ordinance No. 5232 and all other ordinances in conflict thereof are hereby repealed. This ordinance shall take effect, and be in force from and after its passage,

approval and publication as required by law. This ordinance shall be published in pamphlet form and distributed as a City Ordinance.

PASSED AND APPROVED THIS 13<sup>th</sup> DAY OF MAY, 2014

  
SCOTT GETZSCHMAN, MAYOR

ATTEST:

  
Kimberly Volk, MMC, City Clerk

